

## ANDERSON KILL P.C.

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December 8, 2015

Via ECF and Hand Delivery

Hon. Colleen McMahon  
Daniel Patrick Moynihan  
United States Courthouse, courtroom 17C  
500 Pearl St.  
New York, NY 10007-1312

Re: EURO PACIFIC CAPITAL, INC. et. al. v. U.S. CHINA  
MINING GROUP, INC and HONGWEN LI Case No.: 1:15-  
cv-04636-CM

Dear Honorable Colleen McMahon:

On September 11, 2015, the Clerk of this Court entered a default against Defendants U.S. China Mining Group, Inc. ("USCM") and Hongwen Li ("Li") (collectively "Defendants") for failure to appear pursuant to Fed. R. Civ. P. 55(a). On November 12, 2012, Plaintiffs, Euro Pacific Capital, Inc. et. al., filed a Motion for Default Judgment respectfully requesting a default judgment against Defendants as well as an inquest hearing to determine the damages. In support of the Motion for Default Judgment, Plaintiffs also filed a Memorandum of Law in Support of the Motion for Default and an Affidavit of Christopher L. Ayers with accompanying exhibits (collectively the "Default Motion").

After filing and serving the Default Motion, an individual by the name of Hongwen Li notified this firm that he was served with the Summons and Complaint and again with the Default Motion. However, this individual, Hongwen Li, indicated that he is not the correct individual named in the above captioned matter. Accordingly, we write to request that the Court withdraw and remove the Default Motion filed on November 12, 2015 from the Docket. We also respectfully request the Court vacate the Clerk's Certificate filed September 11, 2015. Thereafter, Plaintiffs will move for default solely against USCM.

Anderson Kill P.C.

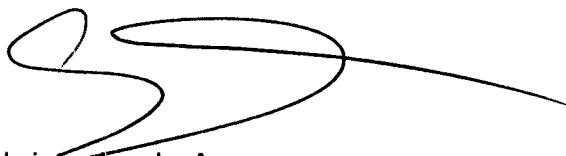
Hon. Colleen McMahon

December 8, 2015

Page 2

Should you have any questions, please call. Thank you in advance for attention to this matter.

Sincerely yours,

A handwritten signature in black ink, consisting of a stylized 'C' followed by a long horizontal stroke that curves upwards at the end.

Christopher L. Ayers